

Amendment No. 1 to HB1332

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 1150

House Bill No. 1332*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-130, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) No child who has been found to be a victim of severe child abuse shall be returned to the custody or residence of any person who engaged in or knowingly failed to protect the child from the brutality or abuse unless the court finds on the basis of clear and convincing evidence that the child will be provided a safe home free from further such brutality and abuse. The court shall file written findings of fact that are the basis of its conclusions on that issue within thirty (30) days of the close of the hearing or if an appeal or petition for certiorari is filed, within five (5) days after entry of the order without the consent of the department and the petitioner.

SECTION 2. Tennessee Code Annotated, Section 37-1-130, is further amended by deleting subsection (c) in its entirety and renumbering the remaining subsections accordingly.

SECTION 3. Tennessee Code Annotated, Section 37-1-102(b)(23)(A), is amended by deleting subdivision (A) in its entirety and by substituting instead the following language:

(A)

(i) The knowing exposure of a child to or the knowing failure to protect a child from abuse or neglect that is likely to cause serious bodily injury or death and the knowing use of force on a child that is likely to cause serious bodily injury or death;

(ii) "Serious bodily injury" shall have the same meaning given in §
39-15-402(d).

SECTION 4. Tennessee Code Annotated, Section 37-1-102(b)(23)(C), is amended by inserting the language "39-15-402," immediately following the language "39-15-302."

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.